

GUARDIANSHIP and CONSERVATORSHIP

2

Get a Permanent Appointment for an Adult

Part 2: Service and Notice
of the Court Hearing
(Forms Packet)

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Self-Service Center

APPOINTMENT OF A PERMANENT GUARDIAN AND/OR CONSERVATOR FOR AN ADULT

PART 2: PREPARING SERVICE AND NOTICE OF THE COURT HEARING (Forms Only)

This packet contains court forms for preparing service and notice of the court hearing. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBGCA2ft	Table of forms/instructions in this packet	1
2	PBGCA2k	Checklist for Service	1
3	PBGC18f	<i>"Notice of Hearing"</i>	1
4	PBGC19f	<i>"Waiver of Notice of Hearing"</i>	1
5	PB21f	<i>"Affidavit of Acceptance of Personal Service"</i>	1
6	PB24f	<i>"Affidavit of Publishing Notice"</i>	2
7	PB25f	<i>"Affidavit of Publication"</i>	1
8	PBGC29f	<i>"Proof of Notice of Hearing"</i>	2

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Self-Service Center

**SERVICE AND NOTICE
APPOINTMENT OF GUARDIAN AND CONSERVATOR**

CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You want to have the court appoint a guardian and conservator for an adult.
- ✓ You filed or will file the court papers to ask for the appointment.
- ✓ You need to give notice of the court case to interested parties or other persons entitled to notice.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

Name of Person Filing Document: _____
 Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self (Without a Lawyer) or
☐ Attorney for _____

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of (check one or both)
☐ Guardianship ☐ Conservatorship of

☐ an Adult ☐ a Minor

Case Number: PB _____

NOTICE OF HEARING REGARDING

(Check one box)

- ☐ Guardianship
☐ Conservatorship
☐ Guardianship and Conservatorship
☐ Accounting

READ THIS NOTICE CAREFULLY. An important court proceeding that affects your rights has been scheduled. If you do not understand this Notice or the other court papers, contact an attorney for legal advice.

1. **NOTICE IS GIVEN** that the Petitioner has filed with the Court the following Petition and other court papers (List the title of the Petition and the titles of all papers you filed with the court):

1. _____
2. _____
3. _____
4. _____
5. _____

2. **COURT HEARING.** A court hearing has been scheduled to consider the Petition and matters in the court papers as follows:

DATE AND TIME: _____

PLACE: _____

JUDICIAL OFFICER: _____

3. **RESPONSE TO PETITION.** You can file a written Response to the Petition. If you file a written Response, file the original with the court, provide a copy to the office of the judicial officer named above, and mail a copy to all interested parties at least five (5) business days before the hearing. Or, you can appear in person at the hearing. You must appear at the hearing **only** if you wish to object to the Petition.

DATED: _____
 (Month/Day/Year)

 Petitioner's Signature

Your Name: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self (Without a Lawyer) OR
☐ Attorney for _____

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of (check one or both)
☐ Guardianship ☐ Conservatorship of

_____ ☐ an Adult or ☐ a Minor

STATE OF ARIZONA)
 County of Maricopa) ss.

Case Number: PB _____

WAIVER OF NOTICE OF HEARING ON PETITION REGARDING

(Check one box)

- ☐ Guardianship and Conservatorship
☐ Guardianship
☐ Conservatorship
☐ Accounting

I state under oath the following:

1. **RECEIVED COURT PAPERS.** I have received and read a copy of the following Petition and other court papers: (Check the box next to the documents you received.)

<input type="checkbox"/> <i>"Petition for Permanent Appointment of Guardianship, Conservator or Both"</i> <input type="checkbox"/> <i>"Petition for Guardianship/Conservatorship"</i> <input type="checkbox"/> <i>"Consent of Parent to Guardianship, Conservatorship, or Both"</i>	<input type="checkbox"/> <i>"Affidavit of Person to be Appointed"</i> <input type="checkbox"/> <i>"Petition for Approval of Accounting"</i>
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2. **RELATIONSHIP:** My relationship to the person who is named in the caption above as incapacitated or protected is (explain): _____
3. **WAIVE NOTICE.** I waive all notice of any hearing or court proceeding in connection with this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

 Signature

SUBSCRIBED AND SWORN to before me this date: _____ by _____
 (Month/Day/Year)

My Commission Expires: _____

 Deputy Clerk/Notary Public

Your Name: _____
 Your Address: _____
 Your City, State, ZIP Code: _____
 Your Telephone No: _____
 State Bar No. (if applicable): _____
 Representing ☐ Self (Without Attorney) or
☐ Attorney for ☐ Petitioner or ☐ Respondent

IN THE SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY

Regarding the matter of _____

Case No: _____

(name)

ACCEPTANCE OF SERVICE

THE PERSON WHO SIGNED BELOW MAKES THESE STATEMENTS UNDER OATH:

1. I acknowledge that I have voluntarily accepted a copy of the following legal papers: (List)

1. _____
2. _____
3. _____
4. _____
5. _____

I waive formal service of process (personal service), and understand by accepting these papers, it is the same as if I were personally served under Arizona Law;

2. I am aware that my accepting service of these court papers and signing this document does not in any way reduce my rights or obligation to file a written objection or come to court to object.
3. I am not in the military forces of the United States of America in any capacity or I waive the protection of the Soldiers and Sailors Relief Act.

Signature

SUBSCRIBED AND SWORN to before me this day of , _____ 20____

by _____

Notary Public

My Commission Expires: _____

Name of Person Filing Document: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self (Without a Lawyer) or ☐ Attorney for _____

**SUPERIOR COURT OF ARIZONA
 MARICOPA COUNTY**

Regarding the Matter of _____

(Name)

Case Number: PB _____

**AFFIDAVIT SHOWING CIRCUMSTANCES
 WHY NOTICE BY PUBLICATION WAS USED
 AND ABOUT THE PUBLICATION**

1. I am the Petitioner or Applicant and make this Affidavit to show the circumstances why notice by publication was used, and to show how service by publication was done.
2. Here are the names of people entitled to notice of this matter to whom I gave notice by publication:
Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship of Person to this Case: _____
Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship of Person to this Case: _____
Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship of Person to this Case: _____
Name: _____
Last Known Address: _____
Last Date I Tried to Find Person: _____
Relationship of Person to this Case: _____

Case No. _____

2. I made a diligent search to find out the residence and whereabouts of the people entitled to notice, but the search has failed to reveal any information concerning their residence or whereabouts.
3. I contacted the persons listed below to find out the location of the following people entitled to notice:

Name of Person I am Looking for: _____
Name of Person I Contacted: _____
Address of Person I Contacted: _____

Name of Person I am Looking for: _____
Name of Person I Contacted: _____
Address of Person I Contacted: _____

Name of Person I am Looking for: _____
Name of Person I Contacted: _____
Address of Person I Contacted: _____

Name of Person I am Looking for: _____
Name of Person I Contacted: _____
Address of Person I Contacted: _____

4. ☐ NOTICE OF HEARING or ☐ NOTICE TO CREDITORS was published in a newspaper in this County on the following dates.

A. ____ / ____ / ____, B. ____ / ____ / ____, C. ____ / ____ / ____.

5. I have read this statement and know of my own knowledge that the facts stated herein are true and correct.

Petitioner's Signature

SUBSCRIBED AND SWORN to before me this date: _____, by _____
(Month/Day/Year)

Notary Public/Deputy Clerk

My Commission expires:

Name of Person Filing Document: _____

Your Address: _____

Your City, State, Zip Code: _____

Your Telephone Number: _____

Attorney Bar Number (if applicable): _____

Representing ☐ Self (Without a Lawyer) OR ☐ Attorney for _____

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Regarding the Matter of

Case Number: PB _____

AFFIDAVIT OF PUBLICATION

(NAME)

1. Attached to this page is the original Affidavit of Publication from the Newspaper.

DATED: _____

Signature of Person Filing Document

Your Name: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing ☐ Self or ☐ Attorney for _____

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of (check one or both)
☐ Guardianship ☐ Conservatorship of

_____ ☐ an Adult or ☐ a Minor

STATE OF ARIZONA)
 County of Maricopa) ss.

Case Number: PB _____
PROOF OF NOTICE OF HEARING FOR
 (Check one box)
☐ Guardianship and Conservatorship
☐ Guardianship
☐ Conservatorship
☐ Accounting

I state under oath the following:

1. **DOCUMENTS PROVIDED:** I provided copies of the following court documents. List specifically each court document you provided. Be sure you provided and you list the **"NOTICE OF HEARING."**

1. _____
2. _____
3. _____
4. _____
5. _____

2. **TO WHOM I GAVE NOTICE:** These are the people to whom I gave copies of all the documents listed in Number 1 above. State the relationship between the person who has or will have the guardian and/or conservator, and the person you gave the copies to. Be sure to list the ATTORNEY for the person who has or will have the guardian or conservator if the person is an adult. Be sure to list the COURT INVESTIGATOR if this is about a **"Petition to Appoint a Guardian and/or Conservator for an Adult."** (Use extra paper if necessary.)

- A. Name: _____
 B. Relationship to person: _____
 C. Date I gave the documents: _____
 D. How I gave the documents -- check at least one box and complete the information:
☐ Personal service (File **"Affidavit of Acceptance"** or of process server or sheriff)
☐ 1st class mail, postage prepaid
☐ Certified mail
☐ Registered mail (attach green card to this paper)
☐ Hand delivery by (name) _____

- A. Name: _____
 B. Relationship to person: _____
 C. Date I gave the documents: _____
 D. How I gave the documents -- check at least one box and complete the information:
☐ Personal service (File **"Affidavit of Acceptance"** or of process server or sheriff)
☐ 1st class mail, postage prepaid

Case No. _____

- ☐ Certified mail
☐ Registered mail (attach green card to this paper)
☐ Hand delivery by (name) _____

- A. Name: _____
B. Relationship to person: _____
C. Date I gave the documents: _____
D. How I gave the documents -- check at least one box and complete the information:
☐ Personal service (File **"Affidavit of Acceptance"** or of process server or sheriff)
☐ 1st class mail, postage prepaid
☐ Certified mail
☐ Registered mail (attach green card to this paper)
☐ Hand delivery by (name) _____

- A. Name: _____
B. Relationship to person: _____
C. Date I gave the documents: _____
D. How I gave the documents -- check at least one box and complete the information:
☐ Personal service (File **"Affidavit of Acceptance"** or of process server or sheriff)
☐ 1st class mail, postage prepaid
☐ Certified mail
☐ Registered mail (Attach green card to this paper)
☐ Hand delivery by (name) _____

Petitioner's Signature

SUBSCRIBED AND SWORN to before me this date: _____ by _____
(Month/Day/Year)

My Commission Expires: _____ Notary Public: _____